

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) CHAPTER 13
Ashlie Lynn Saylor,)
) CASE NO.: 16-53721-LRC
)
DEBTOR.)

MOTION TO DISMISS

COMES NOW Melissa J. Davey, Trustee in the above styled matter, and respectfully shows the

Court as follows:

1. Debtor has filed a petition for relief under Chapter 13.
2. Debtor has failed to comply with this Court's Order requiring regular monthly Plan payments. Debtor should have paid \$45,604.40. Debtor has paid a total of \$43,036.20, causing a delinquency of \$2,568.20. Debtor's Plan violates 11 U.S.C. §§ 1307(c)(1) and 1307(c)(6).
3. In addition, Debtor failed to remit the 2016 and 2018 income tax returns, or any resulting refund to the Trustee. Accordingly, Debtor is in material default of the terms of the confirmed Plan and has caused unreasonable delay that is prejudicial to the creditors. The case should be dismissed. 11 U.S.C. §§ 1307(c)(1) and 1307 (c)(6).

WHEREFORE, Trustee respectfully requests this case be dismissed.

Dated: August 15, 2019

Prepared and Presented by:

/s/

Mandy K. Campbell
Attorney for Chapter 13 Trustee
GA Bar No. 142676
260 Peachtree Street, NW, Suite 200
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NOTICE OF HEARING ON MOTION TO DISMISS

A hearing on the Chapter 13 Trustee's Motion to Dismiss will be held September 17, 2019 at 9:45 AM in the Richard B. Russell Building, 75 Ted Turner Drive S.W. Courtroom 1204, Atlanta, GA 30303-3367.

All written objections shall state the grounds therefor and shall be filed with the Clerk, United States Bankruptcy Court: Richard B. Russell Building, 75 Ted Turner Drive S.W., Room 1340, Atlanta, GA 30303.

A copy of any objection should be furnished to the Chapter 13 Trustee: Melissa J. Davey, Standing Chapter 13 Trustee, 260 Peachtree St NW, Suite 200, Atlanta, GA 30303.

Dated: August 15, 2019

Prepared and Presented by:

/s/

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CERTIFICATE OF SERVICE

This is to certify that I have on this day electronically filed the foregoing Motion to Dismiss together with the Notice of Hearing on the Motion to Dismiss using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

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I further certify that on this day I caused a copy of this document to be served via United States First Class Mail with adequate postage prepaid on the following parties set forth below at the address shown for each.

DEBTOR(S):

ASHLIE LYNN SAYLORS
1434 GLEN OVER CIRCLE
MARIETTA, GA 30062

August 15, 2019

Prepared and Presented by:

/s/

Mandy K. Campbell
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